

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE,  
WESTERN DIVISION**

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DANIEL LOVELACE and  
HELEN LOVELACE, Individually, and as Parents of  
BRETT LOVELACE, deceased,

Plaintiffs,

Vs.

No. 2:13-cv-02289-SHL-dkv  
JURY TRIAL DEMANDED

PEDIATRIC ANESTHESIOLOGISTS, P.A.;  
BABU RAO PAIDIPALLI; and  
MARK P. CLEMONS,

Defendants,

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**JOINT MOTION OF DEFENDANTS TO QUASH SUBPOENA  
TO METHODIST LeBONHEUR HEALTHCARE**

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Come now the Defendants, Pediatric Anesthesiologists, P.A., Babu Rao Paidipalli, and Mark P. Clemons, by and through the undersigned counsel of record, and moves the Court to quash a subpoena duces tecum requested by Plaintiff and issued by the Clerk of this court on or about December 11, 2014 to Methodist LeBonheur Healthcare to Produce a witness to testify by Deposition on December 30, 2014 at 10:00 am at the office of Plaintiff's Counsel. As grounds, the Defendants will show that the time period for discovery has passed, Plaintiff did not move this Court to reopen discovery or to supplement discovery outside the scheduling order, and this matter is set for trial on January 20, 2015, thereby prejudicing the Defendants with new discovery on

the eve of trial.

In support of their Motion, the Defendants rely upon their Memorandum of Support, the exhibits attached thereto, and the entire record in this cause.

Wherefore, premises considered, Defendants pray that the Court quash the subpoena at issue.

RESPECTFULLY SUBMITTED,

THE HARDISON LAW FIRM

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*Attorneys for Defendant, Mark P.  
Clemons*

**CERTIFICATE OF CONSULATION**

Pursuant to Local Rule 7.2(a)(1)(B), I hereby certify that on December 22, 2014, counsel for defendants, Babu Rao Paidipalli and Pediatric Anesthesiologists, P.A., consulted with Mark Ledbetter, counsel for plaintiffs, Daniel and Helen Lovelace, via e-mail concerning the contents of this motion, and that all counsel are unable to reach an accord as to all issues pertaining to this motion.

s/W. Bradley Gilmer \_\_\_\_\_  
W. BRADLEY GILMER

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy of the foregoing has been served via U.S. Mail to all counsel of record identified below:

Mark Ledbetter, Esq.  
Halliburton & Ledbetter  
Attorney for Plaintiffs  
254 Court Avenue  
Suite 305  
Memphis, TN 38103

this 23rd day of December, 2014.

s/ W. Bradley Gilmer \_\_\_\_\_  
W. BRADLEY GILMER